

## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/EP 03/11218

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07C259/06 C07C243/22 A01N37/28 A01N41/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07C A01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

CHEM ABS Data, EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 96/17840 A (AGREVO UK LTD ;DOELLER UWE (DE); BRAUN PETER (DE); SACHSE BURKHARD) 13 June 1996 (1996-06-13) cited in the application page 27 -page 34; claims 1-4; examples 9,14	1-12
A	DE 43 19 887 A (HOECHST SCHERING AGREVO GMBH) 22 December 1994 (1994-12-22) page 185; claims 1,14-16; table 1 & WO 94/29267 A 22 December 1994 (1994-12-22) cited in the application	1,10-12
A	WO 95/30651 A (CIBA GEIGY AG) 16 November 1995 (1995-11-16) cited in the application abstract; claims 1,26-28	1,10-12
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- \*G\* document member of the same patent family

Date of the actual completion of the international search

6 Apr11 2004

Date of mailing of the international search report

16/04/2004

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 398 072 A (BAYER AG) 22 November 1990 (1990-11-22) cited in the application abstract; claims 1-6,8-11 ----	1,10-12
A	US 3 236 889 A (PAWLOSKI CHESTER E) 22 February 1966 (1966-02-22) the whole document -----	1,10-12

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP 03/11218

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-4 ALL PARTIALLY  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-4 ALL PARTIALLY

Present claims 1-4 relate to an extremely large number of possible compounds due to expressions like "optionally substituted", "alkyl" or "heteroaryl", etc..

Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compounds claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the compounds according to formula (I) of claims 1-4 wherein the expressions abovementioned have been limited according to the definitions given in page 3, lines 8-23; page 4, lines 6-9, 11, 13, 14, 16-17, 24-27, 32 and page 5, lines 1,4-7, 9, 12 of the description.

It is noted that these expressions like "optionally substituted", "alkyl", "cycloalkyl", "alkenyl", etc... in claims 1-4 for the substituents R1-R14 are speculative in the sense of Rule 33(3) PCT, embracing a great variety of structural possibilities not yet explored by the Applicant, the effect of which cannot be foreseen having regard to the problem to be solved.

Furthermore, it cannot be expected for the skilled man using the teaching disclosed in the current application and his technical knowledge to be able to reproduce without undue burden all the possibilities which are actually claimed. Consequently the search has been carried out for the subject-matter as mentioned above.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9617840	A	13-06-1996	AU 4265596 A WO 9617840 A1	26-06-1996 13-06-1996
DE 4319887	A	22-12-1994	DE 4319887 A1 AU 7123994 A CN 1128019 A WO 9429267 A1 EP 0703899 A1 HU 73352 A2 JP 8511772 T	22-12-1994 03-01-1995 31-07-1996 22-12-1994 03-04-1996 29-07-1996 10-12-1996
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### Information on patent family members

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Form PCT/ISA/210 (patent family annex) (January 2004)